

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Amanda Field	Team: Squad #6	CCRB Case #: 201909219	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input checked="" type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Sunday, 09/15/2019 3:15 PM	Location of Incident: 122nd Precinct Stationhouse	Precinct: 122	18 Mo. SOL 3/15/2021	EO SOL 10/30/2021	
Date/Time CV Reported Mon, 10/21/2019 9:36 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Mon, 10/21/2019 9:36 PM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. POM Adrian Dejesus	10373	944491	122 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POF Michelle Abraham	1124	960121	122 PCT
2. POF Angela Rusch	24785	958029	122 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Adrian Dejesus	Discourtesy: Police Officer Adrian Dejesus spoke discourteously to § 87(2)(b)	§ 87(2)(g)
B.POM Adrian Dejesus	Off. Language: Police Officer Adrian Dejesus made remarks to § 87(2)(b) based upon race.	§ 87(2)(g)

Case Summary

On October 21, 2019, § 87(2)(b) filed this complaint via the CCRB's online website.

On September 15, 2019, at approximately 3:15PM, § 87(2)(b) entered the 122nd Precinct stationhouse to request Police Officer Adrian DeJesus of the 122nd Precinct amend an accident report prepared regarding an earlier incident. PO DeJesus allegedly said to § 87(2)(b) "That was you calling my damn phone?" (**Allegation A – Discourtesy**, § 87(2)(g)) and allegedly called § 87(2)(b) a "nigger" (**Allegation B – Offensive Language**, § 87(2)(g)).

No arrests or summonses resulted from this incident.

The nature of this incident did not require the use of BWC as per the Patrol Guide. There is no additional video evidence in this case.

Findings and Recommendations

Allegation (A) Discourtesy: Police Officer Adrian Dejesus spoke discourteously to § 87(2)(b).

Allegation (B) Offensive Language: Police Officer Adrian Dejesus made remarks to § 87(2)(b) based upon race.

§ 87(2)(b) testified that he went to the 122nd Precinct stationhouse to request that PO DeJesus amend an accident report that PO DeJesus filed regarding an earlier incident. Upon arrival, § 87(2)(b) told an officer at the front stationhouse desk that he wanted to speak to PO DeJesus, then sat down in the civilian waiting area. PO DeJesus entered the lobby of the stationhouse, approached § 87(2)(b) and allegedly said, "That was you calling my damn phone?" § 87(2)(b) requested PO DeJesus amend the report, and PO DeJesus allegedly called § 87(2)(b) a "nigger." PO DeJesus told § 87(2)(b) not to call him anymore and walked away into the restricted area of the stationhouse (BR 01).

PO DeJesus testified that he was on duty and assigned to patrol at the time of the incident. PO DeJesus had no recollection of preparing any accident report for § 87(2)(b) or receiving a phone call from § 87(2)(b) or any further interaction with § 87(2)(b) regarding a request to amend an accident report (BR 02).

PO DeJesus's memo book reflected that he took a meal break at 1:18PM, resumed patrol at 2:14PM and ended his tour at 3:40PM (BR 03).

PO Abraham testified that she was on duty and assigned as the Telephone Switchboard Operator at the time of this incident. She had no recollection of observing any interaction between PO DeJesus and § 87(2)(b) in the stationhouse (BR 04).

PO Rusch was PO DeJesus' partner on the incident date. Her memo book reflected that their unit responded to an ambulance job at 2:46PM, EMS responded at 3:10PM, and she ended her tour at 3:40PM (BR 08).

According to the Resource Recap Log, PO DeJesus and PO Rusch responded to a job at 156 Ridgewood Avenue, in Staten Island, at approximately 2:46PM, and the job was finalized at 3:21PM to reflect the patient's transport to the hospital (BR 09).

According to Google Maps, the route between 156 Ridgewood Avenue and the 122 Precinct stationhouse is 4.2 miles and takes 14 minutes by car (BR 10).

§ 87(2)(g), § 87(2)(b)

It is therefore recommended that **Allegation A** and **B** be closed as **unsubstantiated**.

Civilian and Officer CCRB Histories

- § 87(2)(b)
-
-
-
-
-
- PO DeJesus has been a member of service for 13 years and this is the first CCRB complaint to which he has been a subject.

Mediation, Civil and Criminal Histories

- § 87(2)(g)
- As of May 19, 2021, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regards to this complaint (BR 06).

• § 87(2)(b)

Squad No.: 14

Investigator:

Amanda Field
Signature

Investigator Amanda Field
Print Title & Name

08/04/2021
Date

Squad Leader: Cassandra Fenkel
Signature

IM Cassandra Fenkel
Print Title & Name

05/25/2021
Date

Reviewer:

Signature

Print Title & Name

Date